



IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

Criminal Action No.

S:11-CR-00602

JOSEPH JENKINS,

INDICTMENT

Vio: 18 U.S.C. §2252A(a)(1)

18 U.S.C. §2252A(a)(5)(B)

Defendant.

THE GRAND JURY CHARGES:
COUNT ONE
[TRANSPORTATION OF CHILD PORNOGRAPHY]

On or about May 24, 2009, in the Northern District of New York,

JOSEPH JENKINS,

the defendant herein, did knowingly and unlawfully transport child pornography, using a means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, in that the defendant made entry into Canada at the Port of Lansdowne, Ontario, from Wellesley Island, New York, in Jefferson County, transporting in a vehicle a Toshiba laptop computer, serial number 78175808W, that contained one or more graphic image files and multimedia files containing images of a minor and minors engaged in sexually explicit conduct.

In violation of Title 18, United States Code, Sections 2252A(a)(1) and 2256(8)(A).

**THE GRAND JURY FURTHER CHARGES:
COUNT TWO
[POSSESSION OF CHILD PORNOGRAPHY]**

On or about May 24, 2009, in the Northern District of New York,

JOSEPH JENKINS,

the defendant herein, did knowingly possess material that contained one or more images of child pornography, that had been transported using a means and facility of interstate and foreign commerce, and in and affecting such commerce by any means, including by computer, and that was produced using materials that had been shipped and transported in and affecting such commerce by any means, including by computer, that is: (1) a PNY Attache 8GB USB Thumb Drive that contained one or more graphic image files and multimedia files containing images of a minor and minors engaged in sexually explicit conduct; and (2) a PNY Attache 4GB USB Thumb Drive that contained one or more graphic image files and multimedia files containing images of a minor and minors engaged in sexually explicit conduct obtained by use of the Internet.

In violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2256(8)(A).

FORFEITURE ALLEGATION

The allegations contained in Counts One and Two of this Indictment are hereby realleged and incorporated by reference for the purposes of alleging forfeiture, pursuant to Title 18, United States Code, Section 2253.

Pursuant to Title 18, United States Code, Section 2253, upon conviction of an offense in violation of Title 18, United States Code, Section 2252A, the defendant, JOSEPH JENKINS, shall forfeit to the United States of America:

- a. Any visual depiction described in Title 18, United States Code, Sections 2251, 2251A, 2252 or 2252A, and any book, magazine, periodical, film, videotape, and other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received in violation of Title 18, United States Code, Chapter 110;
- b. Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offenses, and
- c. Any property, real or personal, used or intended to be used to commit or to promote the commission of such offenses, and any property traceable to such property.

The property to be forfeited includes, but is not limited to, the following:

- (a) Toshiba laptop, serial number 78175808W;
- (b) PNY Attache 8GB USB Thumb Drive; and
- (c) PNY Attache 4GB USB Thumb Drive

If any of the property described above, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party,
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853 (p), as incorporated by Title 18, United States Code, Section

2253(b) and by Title 28, United States Code, Section 2461(c).

Dated: December 21, 2011

A TRUE BILL,

REDACTED

FOREPERSON

RICHARD S. HARTUNIAN
United States Attorney
Northern District of New York

By: *Tamara B. Thomson*
Tamara B. Thomson
Assistant U.S. Attorney
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